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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

3916/59156-082

First Named Inventor Peter Guthmann

Art Unit 3725

Application Number: 09/654,149

Examiner: J. Nguyen

Filed: September 1, 2000

Title: Actuating Mechanism for the Functional Elements in a Round Baler

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

- ☐ Small entity - fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 110.00 (37 CFR 1.17(l)).

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of
Request for Continued Examination (identify the type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

- B. The issue fee of \$ _____

- ☐ has been filed previously on _____.
- ☐ is enclosed herewith.

(Page 1 of 3)

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

07/08/2003 AWONDAF1 00000008 09654149

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity of \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

7-2-2003
Date

David Chambers
Signature

(309) 637-4900
Telephone Number

David A. Chambers
Typed or printed name
Husch & Eppenberger, LLC
401 Main Street, Suite 1400
Address
Peoria, IL 61602-1241
Address

- Enclosure ☒ Fee Payment
☒ Reply
☐ Terminal Disclaimer Form
☒ Additional sheets containing statements establishing unavoidable delay
☒ Authorization to charge deposit account

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

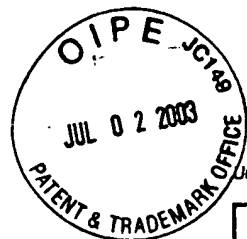
- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

7-2-2003
Date

David Chambers
Signature

David A. Chambers
Typed or printed name of person signing certificate

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

7-2-2003

Date

David Chambers

Signature

David A. Chambers

Typed or printed name

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(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

We received a Final Office Action for the above-identified patent application on 21 October 2002. We prepared a Response to the Office Action. On 16 December 2002, we filed the Response along with a check for \$84.00, two copies of a transmittal letter, a copy of Fig. 1 of the US patent to Schaible, and an acknowledgement card detailing the contents of the filing. We received the acknowledgement card by mail on 23 December 2002. Attached hereto is a copy of the acknowledgement card. Please note the Patent and Trademark Office stamp. Attorney Bob Muir received a telephone call from Examiner Nguyen on 17 April 2003 notifying him that the application had gone abandoned. Applicants submit that the patent application was unavoidably abandoned and respectfully request that the application be revived.

(Please attach additional sheets if additional space is needed.)



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EU 755879720US

ACKNOWLEDGMENT CARD

DATE: 11 Dec. 2002

APPLICANT: Peter Guthmann

ASSIGNEE: Usine's Claas France

TITLE OF INVENTION: Actuating Mechanism for the
Functional Elements in a Round Baler

PAGES IN SPECIFICATION: Response to Final Office Action and
Request for Reconsideration

NUMBER OF SHEETS OF DRAWINGS: with Fig 1 of Schedule

ATTY DOCKET NO: 3916/59156-082 Transmittal Letter (2)

DECLARATION:

FEE: \$84.00 CK# 8051

ATTY: David A. Chambers, #50,788

SERIAL NO. ASSIGNED: 09/654,149

